

# out & equal workplace culture report



survey of workplace attitudes  
2002-2008

Conducted By Harris Interactive in 2008 on behalf  
of Out & Equal Workplace Advocates™







**Table of Contents:**

About the Out & Equal Workplace Culture Report:  
Survey of Workplace Attitudes 2002-2008 ..... 2

About this Report ..... 2

Introduction ..... 5

Career Decisions ..... 7

Attitudes towards LGBT People ..... 9

Culture at Work ..... 13

Benefits Parity ..... 19

Diversity as a Competitive Issue ..... 21

Public Policy ..... 23

Transgender Issues ..... 27



## About Out & Equal Workplace Advocates

Out & Equal Workplace Advocates™ (commonly known as “Out & Equal”) is an international nonprofit organization headquartered in San Francisco, California. We provide a variety of services to companies, human resource professionals, employee resource groups (ERGs), and individuals. Out & Equal Workplace Advocates champions safe and equitable workplaces for lesbian, gay, bisexual, and transgender (LGBT) people.

Out & Equal Workplace Advocates champions safe and equitable workplaces for lesbian, gay, bisexual, and transgender (LGBT) people. We advocate building and strengthening successful organizations that value all employees, customers, and communities.

We sponsor the annual Out & Equal Workplace Summit for LGBT employees and human resources professionals, the world’s premier conference dedicated to equality in the workplace regardless of sexual orientation or gender identity. For more information about Out & Equal Workplace Advocates, visit our website at [www.outandequal.org](http://www.outandequal.org).

## About the Out & Equal Workplace Culture Report: Survey of Workplace Attitudes 2002-2008

The Out & Equal Workplace Culture Report: Survey of Workplace Attitudes 2002-2008 is an annual barometer of attitudes surrounding LGBT issues in the workplace and is the longest-running survey of its kind. It has been conducted annually since 2002 online by Harris Interactive in conjunction with Out & Equal and Witeck-Combs Communications.

### *Methodology*

Harris Interactive conducts this study online within the United States among adults (ages 18 and over), of whom a percentage self-identify as heterosexual and others self-identify as gay, lesbian, bisexual or transgender<sup>1</sup>. Figures for age, sex, race, education, region and income were weighted where necessary to bring them into line with their actual proportions in the population. In addition, the results for the gay and lesbian sample were weighted separately based on profiles of the gay and lesbian population that Harris Interactive has compiled through many different online surveys. Propensity score weighting was also used to adjust for respondents’ propensity to be online.

All sample surveys and polls, whether or not they use probability sampling, are subject to multiple sources of error which are most often not possible to quantify or estimate, including sampling error, coverage error, error associated with non-response, error associated with question wording and response options, and post-survey weighting and adjustments. Therefore, Harris Interactive avoids the words “margin of error” as they are misleading. All that can be calculated are different possible sampling errors with different probabilities for pure, unweighted, random samples with 100% response rates. These are only theoretical because no published polls come close to this ideal.

Respondents for this survey were selected from among those who have agreed to participate in Harris Interactive surveys. The data have been weighted to reflect the composition of the adult population. Because the sample is based on those who agreed to participate in the Harris Interactive panel, no estimates of theoretical sampling error can be calculated. These statements conform to the principles of disclosure of the National Council on Public Polls.

<sup>1</sup>Includes an over sample of LGBT adults.



## Acknowledgements

We would like to thank our partners in this project, Witeck-Combs Communications and Harris Interactive. And thanks to the many sponsors and individual donors who have supported Out & Equal and our vision of workplace equality for all.

### ***About Witeck-Combs Communications, Inc.***

Witeck-Combs Communications, Inc. is the nation's premier marketing communications, public relations and consulting firm, specializing in developing and implementing effective strategies reaching the gay and lesbian consumer market. With 15 years experience in this unique market, Witeck-Combs Communications not only serves as a bridge between corporate America and lesbian, gay, bisexual and transgender consumers (LGBT), but also provides counsel to countless non-profit organizations that aim to educate the public on gay and lesbian issues or to better reach their LGBT membership.

In April 2003, American Demographics magazine identified Bob Witeck and Wes Combs as two of 25 experts over the last 25 years who have made significant contributions to the fields of demographics, market research, media and trend spotting for their path breaking work on the gay and lesbian market. In 2006 Bob Witeck and Wes Combs co-authored *Business Inside Out: Capturing Millions of Brand Loyal Gay Consumers* (Kaplan Publishing), considered the first-ever book on marketing insights, practical tips and strategies targeting the gay, lesbian, bisexual and transgender market. They have appeared in worldwide media outlets including *Fortune*, CNBC, CNN, Reuters, Associated Press, *Ad Age*, *The New York Times* and *The Washington Post*. For more information visit [www.witeckcombs.com](http://www.witeckcombs.com).

### ***About Harris Interactive***

Harris Interactive is a global leader in custom market research. With a long and rich history in multimodal research, powered by our science and technology, we assist clients in achieving business results. Harris Interactive serves clients globally through our North American, European and Asian offices and a network of independent market research firms. For more information, please visit [www.harrisinteractive.com](http://www.harrisinteractive.com).

Harris Interactive has done a substantial amount of research with the LGBT population using both traditional and web-based methodologies and has a fully developed GLBT Specialty Online Panel recruited through diverse sources to which participants opt in. Harris Interactive has found that there is a distinct benefit in conducting research with the LGBT community using an online methodology: ***anonymity and privacy so participants are more comfortable sharing their experiences and concerns.***

Harris Interactive's clients have used research generated from the GLBT Specialty Online Panel to:

- Understand the impact of LGBT purchasing power and behaviors;
- Reveal LGBT consumer preferences;
- Determine which companies have the best and worst reputations among LGBT consumers;
- Test advertising messages targeted to the LGBT market, and compare how non-LGBT markets react to those messages;
- Understand voting behaviors and decision-making processes;
- Determine drivers and levels of brand loyalty; and
- Uncover where LGBT individuals go to find health-related and other information.



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## Introduction

### **The Power to Educate, the Obligation to Lead**

The general public supports workplace equality for lesbians, gay men, bisexuals and transgender people. Yet how do we really know?

On the job, at home, and in communities everywhere, we see clear evidence that fairness and respect for LGBT employees are growing. When leaders lead and citizens truly become educated, we witness the power to transform ignorance and fear into acceptance and understanding. In corporate America and abroad, that progress translates into greater productivity and a more dynamic and successful economy.

Out & Equal Workplace Advocates have been spearheading many of these advances across America and internationally through our mission and even more so through the visionary efforts of our corporate partners, members and allies. Together we are determined to harness and advance the best workplace policies and practices to achieve full LGBT inclusion.

While other organizations have helped benchmark corporate practices, Out & Equal has tried to tap this knowledge in a somewhat more organic way – by understanding and measuring the attitudes and values of workaday employees and not only by the trends towards LGBT-positive policies and practices in the workplace.

We also must ask whether such policies have the desired impact on real workplace environments. Can companies successfully mandate an LGBT-inclusive atmosphere? We have long wished to shed light on the impact of social change as well as the increased popularity of non-discrimination and other progressive policies have on the workplace environment.

What do Americans really feel about working alongside their LGBT co-workers? Do they support basic equality principles on the job? Are employees comfortable with an openly lesbian or bisexual manager? How will they accept and understand transgender co-workers including ones who transition on the job?

And for lesbians, gay men, bisexual and transgender people, how comfortable are we? How open do we choose to be with our colleagues and supervisors? Are we able to bring our partners to company gatherings? Have we faced instances of harassment or discrimination at the jobs we've held? What about our chances for promotions and career advancement?

To launch this baseline of unique public opinion insight, fortunately – beginning seven years ago – Out & Equal partnered with Harris Interactive as well as Witeck-Combs Communications to design our own questions and to conduct innovative survey research of the American workplace. Harris Interactive, best known for *The Harris Poll*® and more than five decades conducting all forms of attitude and behavioral research, has been a global pioneer in sampling LGBT perspectives and in surveying harder-to-reach populations with confidence.



Out & Equal Workplace Advocates allies Wes Combs and Bob Witeck, co-founders of the national marketing and public relations firm, Witeck-Combs Communications based in Washington, DC, originally approached Harris Interactive in 2000 to develop a core expertise on LGBT attitudes. Together they have created the largest and most trusted online panel of LGBT adults available to researchers.

In conjunction with the Harris mainstream panel which offers millions of respondents from all walks of life, the team has amassed year-over-year a body of deeper knowledge that authentically contrasts LGBT and non-LGBT attitudes and behaviors. Given this unique expertise, we have been able to tap these panels to explore the specific questions that corporate managers are asking – and to benchmark how American attitudes are evolving and advancing – in synch with progressive policies of inclusion.

On the pages that follow, we will present and explore these trends, and share with you this full body of dedicated opinion research.

For clarity and readability, we have divided the research sections by topic – as follows:

### **Career Decisions**

*What do we think?*

### **Attitudes towards LGBT People**

*What do they think?*

### **Culture at Work**

*How do we really feel on the job?*

### **Benefits Parity**

*Achieving equal benefits at work*

### **Diversity as a Competitive Issue**

*How business leaders master diversity and competition*

### **Public Policy**

*How will our leaders achieve workplace protections?*

### **Transgender Issues**

*Including the T in LGBT*

While the current survey is focused on the American workplace, we hope to broaden our capabilities in coming years to include the attitudes of workers abroad as well.

We sincerely welcome your interest and comments, and invite you to share this knowledge freely with your colleagues, your management and your allies.



## Career Decisions

### *What do we think?*

The American workplace is more LGBT friendly than any time in history, which has a profound impact on the concerns for LGBT employees. Consider these statistics:

- More than 500 major companies today provide protections for employees from discrimination in hiring and firing on the basis of sexual orientation;
- 466 companies provide diversity training covering sexual orientation;
- 463 businesses offer domestic partner benefits to their same sex employees;
- 404 companies have employer-supported LGBT employee resource groups or firm wide diversity councils that include LGBT representatives;
- 300 companies prohibit discrimination on the basis of gender identity and/or expression;
- More than 170 cities and counties outlaw employment discrimination on the basis of sexual orientation;
- More than 90 cities and counties outlaw employment discrimination on the basis of gender identity and/or expression; and
- 20 states and the District of Columbia prohibit discrimination on the basis of sexual orientation.<sup>2</sup>

Yet, there is still no federal law in place that provides employment non-discrimination protections nationwide. Because it is still perfectly legal for employers to fire someone because they are LGBT in 30 states, there are many factors that an LGBT employee considers before they select an employer.

LGBT employees are concerned not only that they have access to health insurance for their families but also that the company has policies in place to protect them from discrimination, especially if the jurisdiction they live in does not offer those same workplace protections. These priorities were expressed clearly in 2002 and remain virtually unchanged in 2008.

**NOW** In 2008, almost 7 in 10 (69%) LGBT adults (as well as 63% of heterosexuals) say it is extremely or very important they work for a company that offers health insurance benefits to all employees.

**THEN** In 2002, 71% of LGBT adults (as well as 57% of heterosexuals) said that it was extremely or very important they work for a company that offers health insurance benefits to all employees.

**NOW** In 2008, 67% of LGBT adults say that it is extremely or very important to work for a company that has a written non-discrimination policy that includes all of the following: race, ethnicity, sex, religion, age, sexual orientation and disability, while almost half (49%) of heterosexuals feel the same way.

**THEN** In 2002, 66% of LGBT adults said that it is extremely or very important to work for a company that has a written non-discrimination policy that includes all of the following: race, ethnicity, sex, religion, age, sexual orientation and disability, while almost half (43%) of heterosexuals felt the same way.

<sup>2</sup> Human Rights Campaign ([www.hrc.org](http://www.hrc.org)) August 2008



Having policies in place is one indication of how LGBT-friendly an office environment will be once you become employed there. Another measure that can suggest a broader acceptance of LGBT issues is if a company supports community organizations that represent the interests of all employees including those that are LGBT.

**NOW** In 2008, 47% of LGBT adults say that they are looking for a job, it is extremely or very important that they work for a company that supports community non-profit organizations that represent the diversity of the workforce and the customer base, while slightly more than one third (35%) of heterosexuals felt the same way.

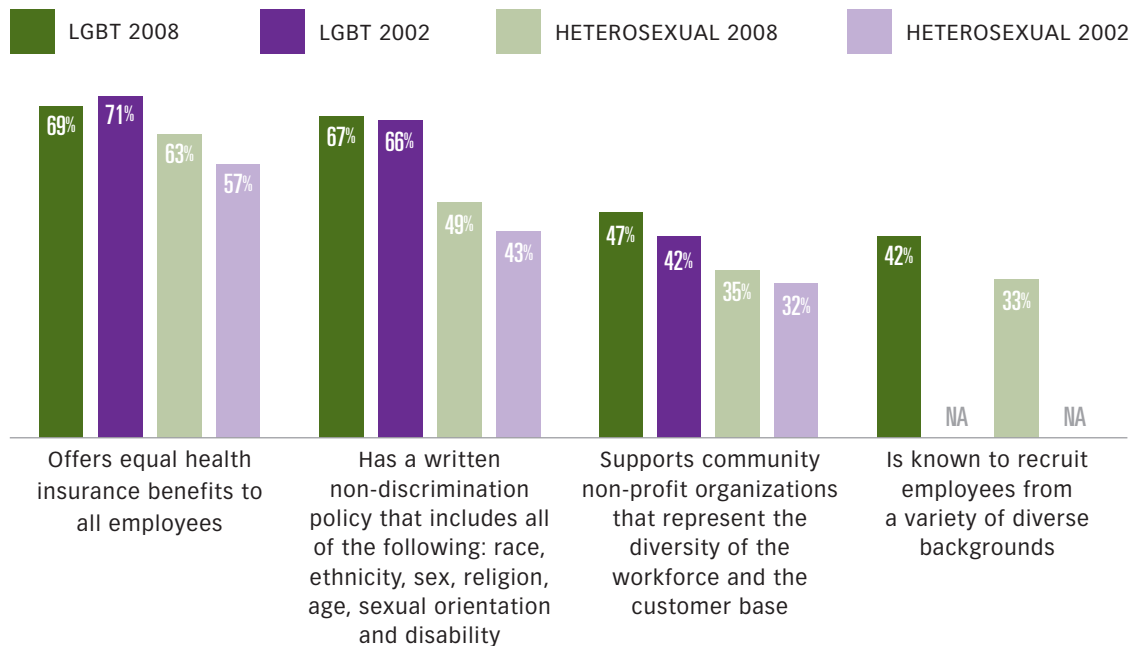
**THEN** In 2002, 42% of LGBT adults said that when they were looking for a job, it was extremely or very important that they work for a company that supports community non-profit organizations that represent the diversity of the workforce and the customer base, while almost one third (32%) of heterosexuals felt the same way.

**FIGURE 1**  
**Importance of Working for Company Providing Benefits**

*We would now like to ask you a variety of questions about the workplace. All other things being equal, when making decisions about your own career, how important is it for you to work for a company that...?*

(Summary of Those Who Said Extremely/Very Important)

BASE: All Adults





## Attitudes Towards LGBT People

### *What do they think?*

It has long been observed by community leaders and legislators who are working to secure parity for LGBT people in the workplace that corporate America is far ahead of local, state and national legislation in outlawing discrimination against LGBT people and for providing them equal benefits and opportunities as their heterosexual counterparts. The private sector pays close attention to market trends and measures of public opinion that confirm job performance is how employees should be measured, not by their sexual orientation.

**NOW** In 2008, more than three quarters (79%) of heterosexuals strongly or somewhat agree that how an employee does his or her job should be the standard for judging an employee, not their sexual orientation.

**THEN** In 2002, 77% of heterosexuals strongly or somewhat agree that how an employee does his or her job should be the standard for judging an employee, not their sexual orientation.

In addition, support for equal access to benefits in the workplace is almost as strong and also appears unchanged.

**NOW** In 2008, a clear majority (64%) of heterosexuals strongly or somewhat agree that regardless of their sexual orientation, all employees are entitled to equal benefits on the job, such as health insurance for their partners or spouses.

**THEN** In 2002, 63% of heterosexuals strongly or somewhat agree that regardless of their sexual orientation, all employees are entitled to equal benefits on the job, such as health insurance for their partners or spouses.

We often believe that people fear what is unfamiliar, new and different. The increased visibility that LGBT people have in our society has been shown as the most effective way to break down the barriers to equality as well as clarify any misconceptions heterosexuals have about who LGBT people are. If a person knows someone who identifies as LGBT, the more likely they are to support equality for them.

**NOW** In 2008, 90% of heterosexual adults said they would feel indifferent or feel positively upon learning that a co-worker was gay or lesbian. Only one in ten said that they would feel negatively.



## out & equal workplace culture report

When asked a slightly different way, the amount of discomfort rises, possibly because the question includes the mention of “the boss” whereas the earlier question only speaks about the broader concept of “co-workers.”

**NOW** In 2008, only 2 in 10 (22%) of heterosexuals strongly or somewhat agree that it would be uncomfortable if their boss or co-worker were openly gay, lesbian, bisexual or transgender, and 22% of heterosexuals strongly or somewhat agree that it would be uncomfortable if their co-worker were openly gay, lesbian, bisexual or transgender.

**THEN** In 2002, 29% of heterosexuals strongly or somewhat agreed that it would be uncomfortable if their boss were openly gay, lesbian, bisexual or transgender, and 24% of heterosexuals strongly or somewhat agreed that it would be uncomfortable if their co-worker were openly gay, lesbian, bisexual or transgender.

When thinking about their LGBT counterparts in the workplace, the data suggests that heterosexuals feel that there is more parity in the workplace than actually exists in policy and practice.

**NOW** In 2008, 22% of heterosexuals strongly or somewhat agree that it would be very difficult for an employee to be openly gay, lesbian, bisexual or transgender in their workplace.

**THEN** In 2002, 24% of heterosexuals strongly or somewhat agree that it would be very difficult for an employee to be openly gay, lesbian, bisexual or transgender in their workplace.

Yet, when it comes to “codifying” these policies, fewer heterosexuals say that written policies are important to provide these protections.

**NOW** In 2008, 46% of heterosexuals strongly or somewhat agree that they favor written non-discrimination policies that include sexual orientation.

**THEN** In 2002, 50% of heterosexuals strongly or somewhat agree that they favor written non-discrimination policies that include sexual orientation.



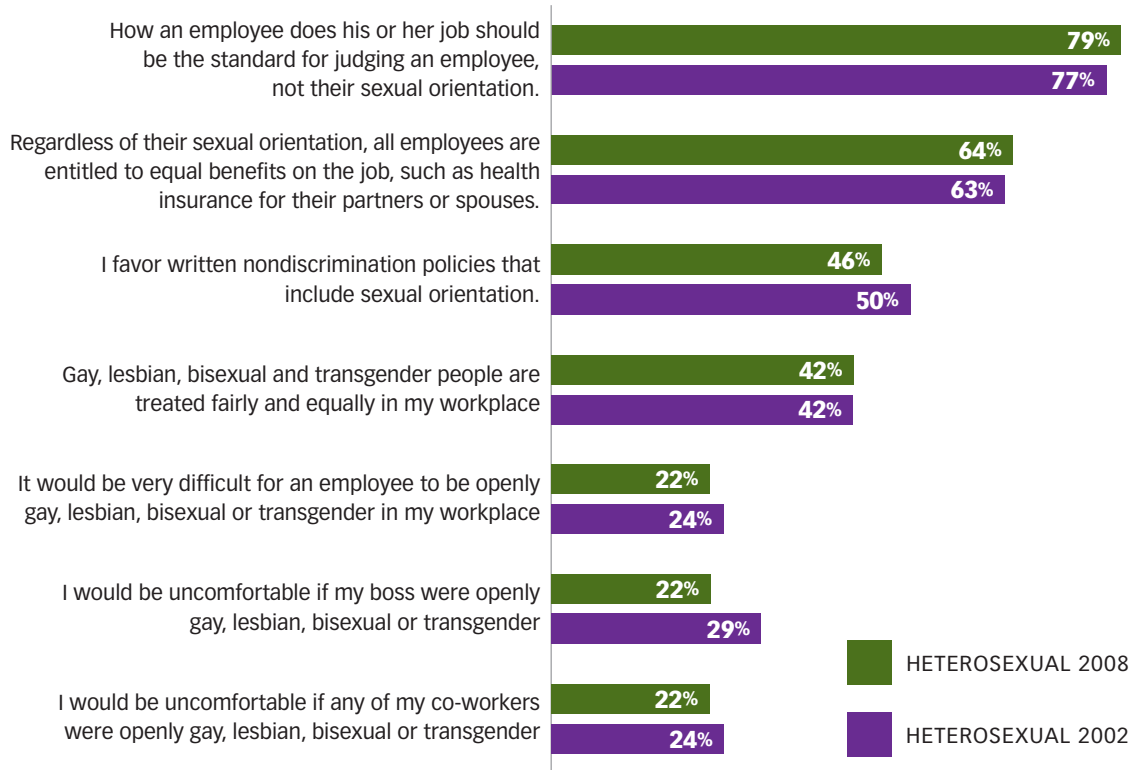
**FIGURE 2**

**Attitudes Toward LGBT People**

*How strongly do you agree or disagree with the following statements?*

(Summary of Strongly or Somewhat Agree)

BASE: All Adults

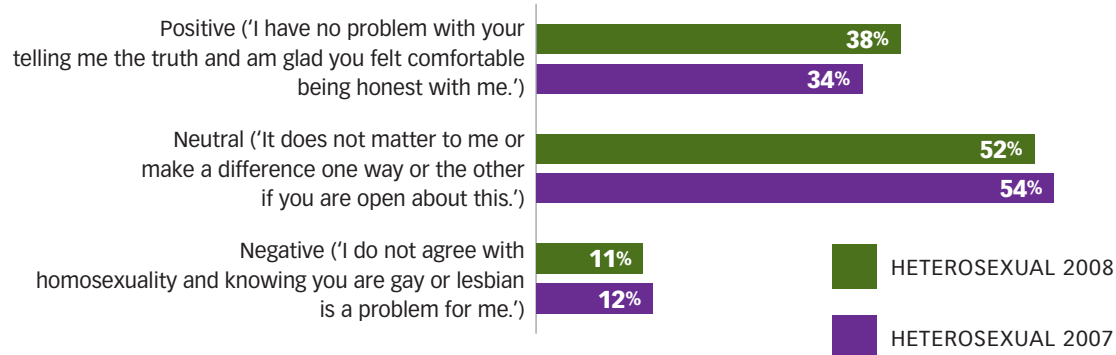


**FIGURE 3**

**Non-LGBT Reaction to Co-worker Saying They Are Lesbian or Gay**

*If someone with whom I had been working with told me that he or she is gay or lesbian, my reaction would be...*

BASE: All Adults







## Culture at Work

### *How do we really feel on the job?*

Implementing non-discrimination policies and providing equal health benefits for domestic partners of LGBT employees is the foundation of a comprehensive diversity strategy that is inclusive of and relevant to the needs of LGBT workers. However, the true test of how effective these policies are in changing the environment of the workplace is how welcoming the culture is of all types of employees, including those who are LGBT.

Despite having excellent policies under their employer, LGBT employees may still feel that it is not safe or prudent to be “out” at work, that a “lavender ceiling” may exist for openly LGBT workers. Even hearing what some may feel is a harmless gay joke from a co-worker may be a signal that these policies are not being enforced or that there is no system of checks and balances to ensure that discrimination is not tolerated.

This next set of questions was designed to measure the culture of the workplace from the perspective of the LGBT employee and the heterosexual employee.

### *How LGBT Welcoming is Your Workplace?*

Coming out in the workplace adds a constant burden of stress for many LGBT workers. Since it is still legal to fire someone in 30 states for being LGBT, there is much at stake for the LGBT worker in being honest about who they really are. This is confirmed by the relatively low proportion of LGBT workers who feel comfortable coming out to their co-workers or boss. There are many ways of revealing one’s sexual orientation to others, for example, including inviting a same-sex partner to a company event or having their picture on their desk. These can be ordinary yet simple tests of how accepting workplace cultures really are.

The Out & Equal Workplace Culture Report’s trend over the past six years appears to show an increased degree of comfort among LGBT workers introducing their spouse, partner or significant other, in synch with the number of companies that are providing protections for their LGBT employees. The trend for more openness by an employee in their personal workspace (i.e. having a photo of your spouse or significant other on the desk) further demonstrates that many cultures are improving, albeit slowly.

**NOW** In 2008, 39% of LGBT adults said they were extremely or very comfortable introducing their spouse, partner or significant other to their boss or management, while 54% of heterosexuals felt the same way.

**THEN** In 2002, 32% of LGBT adults said they were extremely or very comfortable introducing their spouse, partner or significant other to their boss or management, while 52% of heterosexuals felt the same way.



**NOW** In 2008, 37% of LGBT adults said they were extremely or very comfortable introducing their spouse, partner or significant other to co-workers, while 55% of heterosexuals felt the same way.

**THEN** In 2002, 35% of LGBT adults said they were extremely or very comfortable introducing their spouse, partner or significant other to co-workers, while 51% of heterosexuals felt the same way.

**NOW** 32% of LGBT adults said they were extremely or very comfortable having a photo of their spouse, partner or significant other on their desk, while almost half (49%) of heterosexuals felt the same way.

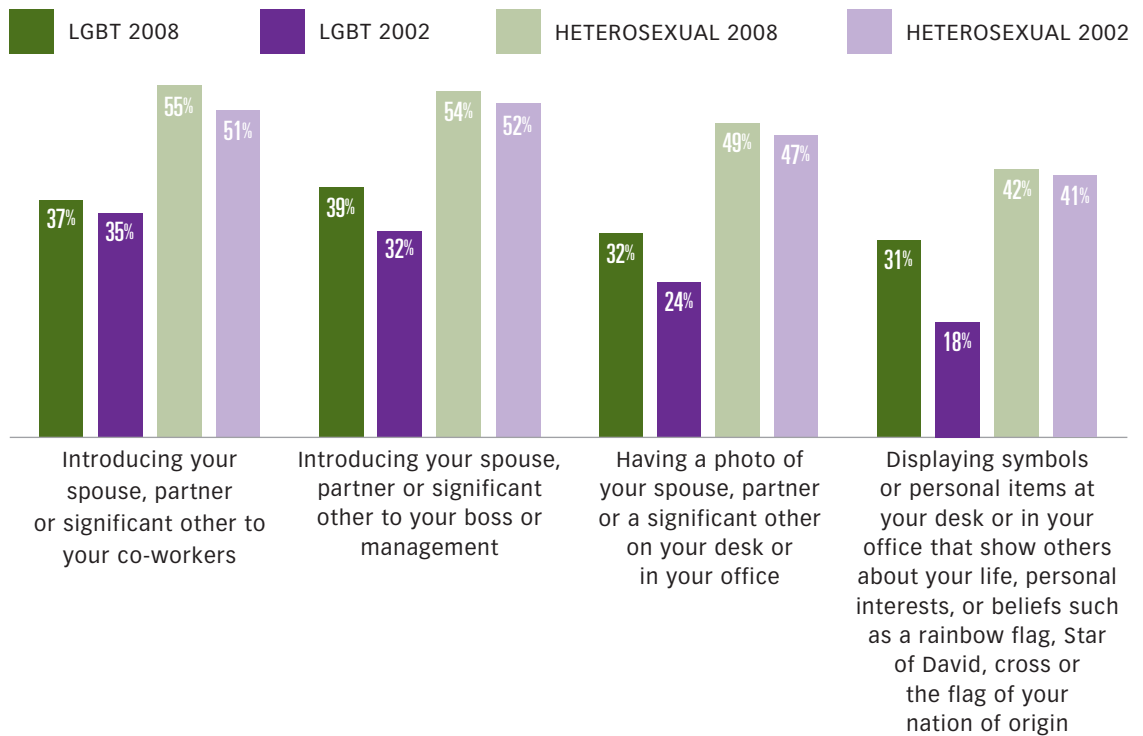
**THEN** In 2002, 24% of LGBT adults said they were extremely or very comfortable having a photo of their spouse, partner or significant other on their desk, while almost half (47%) of heterosexuals felt the same way.

**FIGURE 4**  
**Being Comfortable at Workplace**

*In your current or your most recent job, how comfortable are you or were you...?*

(Summary of Strongly or Somewhat Agree)

BASE: All Adults





And how do LGBT people personally feel being “out” on the job? Additional evidence that the culture is improving on some level is demonstrated by how LGBT people view their own status on the job as an openly LGBT person. An increasingly significant number feel that is not very difficult for a person to be openly LGBT in their workplace.

**NOW** In 2008, only 22% of LGBTs strongly or somewhat agree that it would be very difficult for an employee to be openly gay, lesbian, bisexual or transgender in their workplace.

**THEN** In 2002, 31% of LGBTs strongly or somewhat agree that it would be very difficult for an employee to be openly gay, lesbian, bisexual or transgender in their workplace.

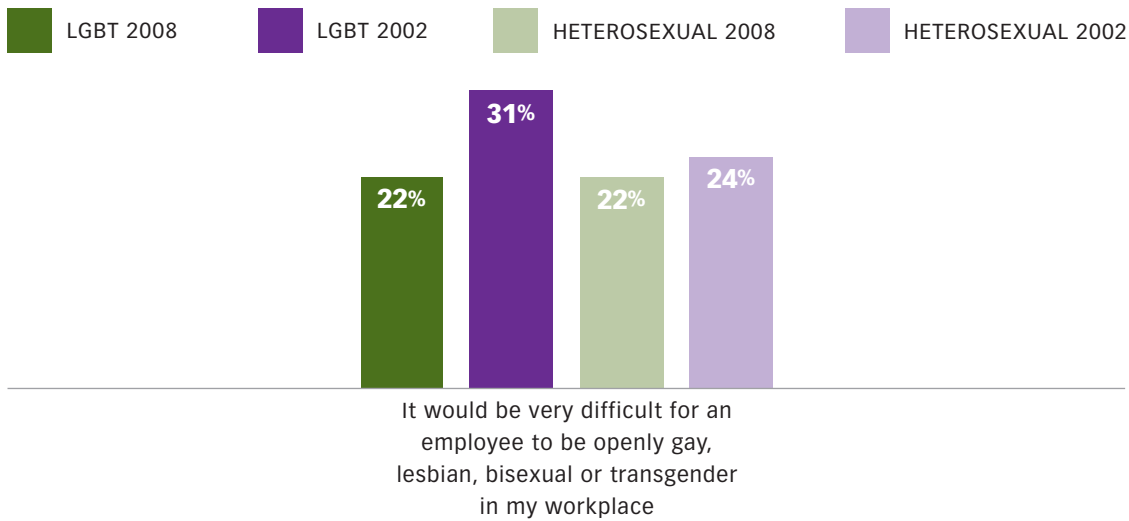
**FIGURE 5**

**Being Comfortable at Workplace**

*How strongly do you agree or disagree with the following statements?*

(Summary of Strongly or Somewhat Agree)

BASE: All Adults



**Validating the Effectiveness of Diversity Initiatives**

How do companies know whether their diversity initiatives are taking root? If there is not a way to validate the effectiveness of LGBT inclusive non-discrimination policies and diversity initiatives, then a company is failing to maximize their advantages in recruiting and retaining quality employees. The tolerance of offensive jokes about those that comprise the minority of your workforce is a good indicator of a workplace that has not yet integrated diversity effectively throughout the organization.



While the number of crude or hurtful jokes LGBT people hear about themselves in the workplace appears to have dropped over the past six years, there is still a long way to go before America's workplaces truly are respectful of all workers.

**NOW** In 2008, 50% of LGBT adults hear someone at their current or most recent job tell jokes about LGBTs.

**THEN** In 2002, 64% of LGBT adults heard someone at their current or most recent job tell jokes about LGBTs.

**NOW** In 2008, 46% of heterosexuals heard someone tell a joke about LGBTs, only to be surpassed by the number who heard jokes about women, which is 51%.

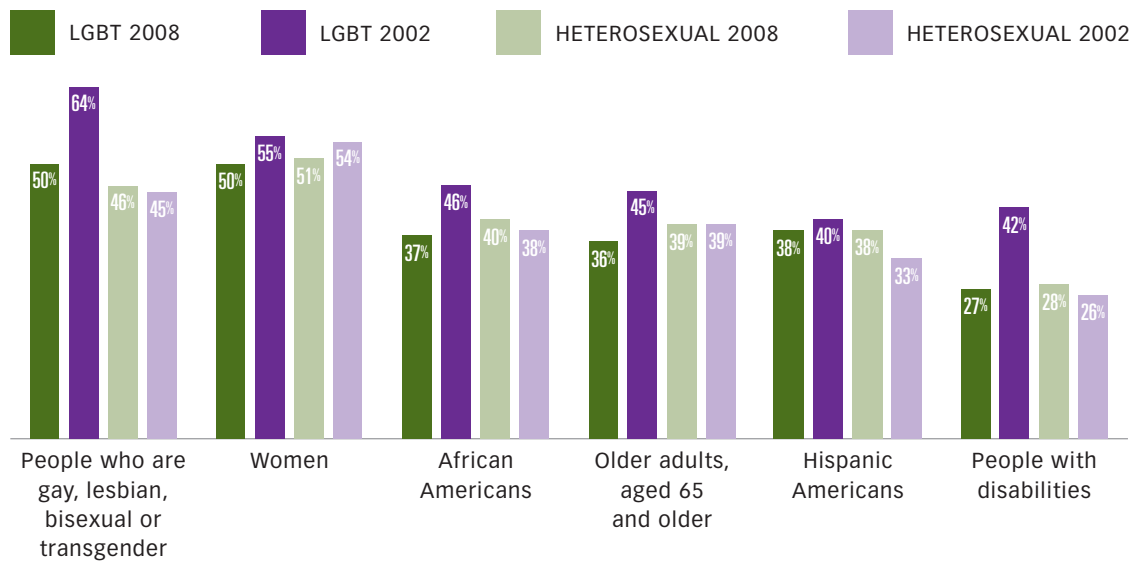
**THEN** In 2002, 45% of heterosexuals heard someone tell a joke about LGBTs, only to be surpassed by the number who reported jokes about women, which was 54%.

**FIGURE 6**  
**Heard Jokes Told About Groups in Workplace**

*Have you ever heard someone at your current or most recent job tell jokes about any of the following groups?*

(Summary of Those Who Said Yes, Have Heard)

BASE: All Adults





Finally, perhaps the ultimate test of the success of workplace diversity policies is the LGBT employee's actual on-the-job experiences. While we can see modest improvements in these trends, today only a third of LGBT Americans report never having faced some sort of discrimination in the workplace.

**NOW** In 2008, 65% of gays and lesbians faced some sort of discrimination in the workplace.

In 2008, 47% of gays and lesbians heard anti-gay comments.

In 2008, 36% of gays and lesbians are closeted at work.

In 2008, 36% of gays and lesbians said their partner was not considered as such (for example, at social functions, for health insurance and so forth).

In 2008, 20% of gays and lesbians report being harassed on the job by co-workers.

**A YEAR AGO** In 2007, 72% of gays and lesbians faced some sort of discrimination in the workplace.

In 2007, 51% of gays and lesbians heard anti-gay comments.

In 2007, 44% of gays and lesbians are closeted at work.

In 2007, 34% of gays and lesbians said their partner was not considered as such.

In 2007, 15% of gays and lesbians report being harassed on the job by co-workers.



**FIGURE 7**

**Experience With Discrimination in the Workplace**

*Have you ever faced any of these forms of discrimination in the workplace because of your sexual orientation or gender identity? Please select all that apply.*

(Summary of Those Who Said Yes)

BASE: All Adults

	LESBIANS AND GAYS	
	2008	2007
	%	%
<b>FACED DISCRIMINATION (NET)</b>	<b>65</b>	<b>72</b>
Anti-gay comments	<b>47</b>	<b>51</b>
Closeted (can't freely talk like others, take dates to functions)	<b>36</b>	<b>44</b>
Partner not considered as such (for social functions, insurance)	<b>36</b>	<b>34</b>
I was harassed on the job by co-workers	<b>20</b>	<b>15</b>
I was denied a promotion or job advance	<b>16</b>	<b>10</b>
I was fired or dismissed unfairly	<b>13</b>	<b>11</b>
I was pressured to quit my job because of harassment or hostility	<b>5</b>	<b>8</b>
Other form of discrimination	<b>24</b>	<b>16</b>
<i><b>I have never faced any form of discrimination in the workplace because of my sexual orientation or gender identity.</b></i>	<b>30</b>	<b>26</b>
Decline to answer	<b>5</b>	<b>2</b>



## Benefits Parity

### *Achieving equal benefits at work*

All across the nation, support for equal treatment of LGBT people is increasing. Research continues to show that Americans demonstrate more support for providing equal benefits to LGBT people in the workplace. Since the inception of this survey, the support by heterosexuals for all benefits offered to LGBT people in the workplace that are included in the study has increased.

**NOW** In 2008, 64% of heterosexuals feel that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive untaxed health benefits.

In 2008, 54% of heterosexuals feel that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive adoption assistance such as counseling and financial benefits.

In 2008, 75% of heterosexuals feel that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive leave when they lose a spouse/partner or close family member.

In 2008, 60% of heterosexuals feel that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should have transfer assistance provided to their spouse/partner if the employee is transferred for a new job.

**A YEAR AGO** In 2007, 58% of heterosexuals felt that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive untaxed health benefits.

In 2007, 49% of heterosexuals felt that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive adoption assistance such as counseling and financial benefits.

In 2007, 70% of heterosexuals felt that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive leave when they lose a spouse/partner or close family member.

In 2007, 56% of heterosexuals felt that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should have transfer assistance provided to their spouse/partner if the employee is transferred for a new job.



**NOW** In 2008, 68% of heterosexuals feel that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive leave rights for family and medical emergencies as outlined in FMLA.

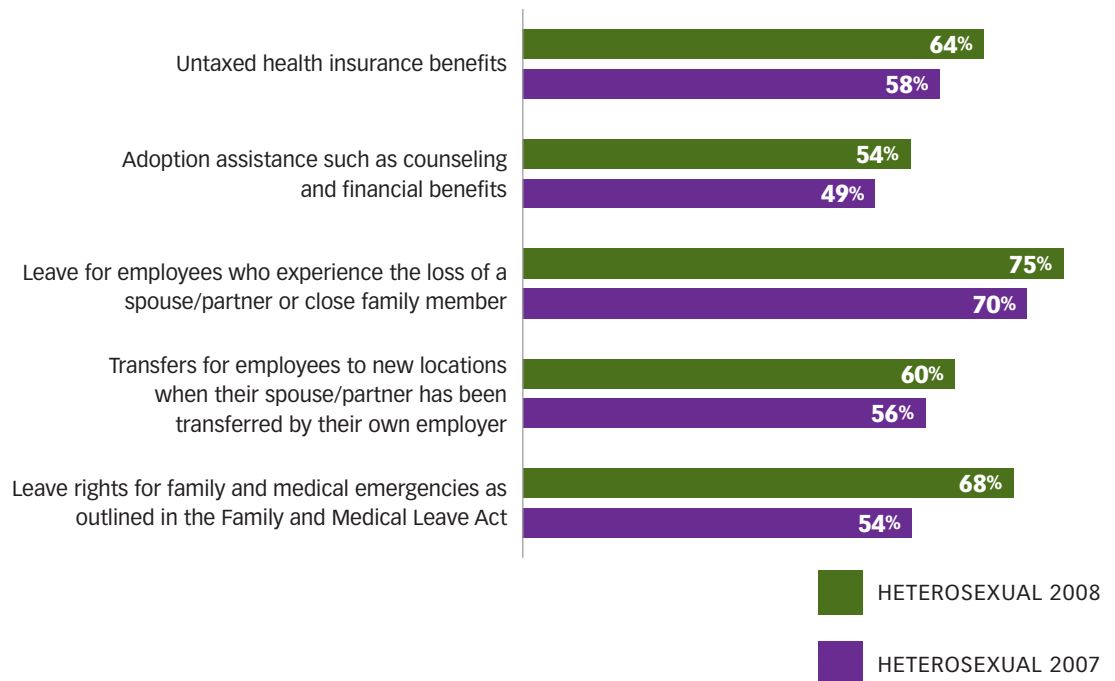
**A YEAR AGO** In 2007, 64% of heterosexuals felt that spouses of married heterosexual employees and committed partners of gay and lesbian employees both should receive leave rights for family and medical emergencies as outlined in FMLA.

**FIGURE 8**  
**Who Should Receive Different Employer Benefits**

*Employers sometimes offer different benefits to spouses of married heterosexual employees compared to committed partners of gay and lesbian employees. Using the scale below, for the following employer benefits, who do you think should receive each?*

(Summary of Those Who Said Both Spouses of Married Heterosexual Employees and Committed Partners of Gay and Lesbian Employees)

BASE: All Adults





## Diversity as a Competitive Issue

### *How business leaders master diversity and competition*

"Diversity is good for business" is not merely a truism. It is based on experience shown by companies that embrace diversity that often are more competitive, and able to demonstrate a positive impact to their bottom line.

Human resource and management consultants have posited that companies with a true commitment to diversity throughout their organization are more competitive because they are consistently able to attract the best and brightest talent as well as lower overall costs by reducing staff turnover. Happier and more productive employees want to stay on the job. Employees from diverse backgrounds who sincerely feel welcome will seek out employment with companies known for their inclusive environments.

How do LGBT and heterosexual Americans feel about this?

**NOW** In 2008, 60% of LGBT adults feel that passage of legislation within a particular state that prevents companies from offering health benefits equally to spouses as well as same-sex partners of all employees would have a great deal or quite a bit of an impact on the company's ability to recruit the most qualified employees or retain the most qualified employees. And more than a third (38%) of heterosexuals respectively had the same view about recruiting and a similar 37% agreed about retention.

**A YEAR AGO** In 2007, just over six in ten (63%) of LGBT adults feel that passage of legislation within a particular state that prevents companies from offering health benefits equally to spouses as well as same-sex partners of all employees would have a great deal or quite a bit of an impact on the company's ability to recruit (63%) the most qualified employees or retain (61%) the most qualified employees. Again, over a third (35%) of heterosexuals respectively had the same view.

**NOW** In 2008, 51% of LGBT adults feel that passage of legislation within a particular state that prevents companies from offering health benefits equally to spouses as well as same-sex partners of all employees would have a great deal or quite a bit of an impact on the company's ability to remain competitive with companies in other states that can offer these benefits.

**A YEAR AGO** In 2007, 57% of LGBT adults feel that passage of legislation within a particular state that prevents companies from offering health benefits equally to spouses as well as same-sex partners of all employees would have a great deal or quite a bit of an impact on the company's ability to remain competitive with companies in other states that can offer these benefits.



**FIGURE 9**

**Impact of Legislation Preventing Companies From Offering Health Benefits Equally to Spouses and Same-Sex Partners**

*If the passage of legislation within a particular state prevented companies from offering health benefits equally to spouses as well as same-sex partners of all employees, how much of an impact do you think it would have in the company's ability to...?*

(Summary of Those Who Said A Great Deal or Quite a Bit)

BASE: All Adults





## Public Policy

### *How will our leaders achieve workplace protections?*

In 2007, federal legislation was re-introduced in the U.S. Congress to add national protections on the basis of sexual orientation to Title VII, (popularly known as the Civil Rights Act of 1964.) This legislation is entitled the Employment Non-Discrimination Act and is often known as ENDA.

Current law provides workplace protections for people on the basis of race, religion, gender, national origin, and disability. It does not provide any protections on the basis of sexual orientation (gays, lesbians and bisexuals) nor gender identity and expression (transgender individuals.)

At the time of this report (September 2008), only 20 states and the District of Columbia outlaw discrimination in the workplace on the basis of sexual orientation and only 12 states and the District of Columbia outlaw discrimination in the workplace on the basis of gender identity and expression. Said another way, it is entirely legal to fire a person who identifies as LGBT in most jurisdictions in the United States without lawful protection of any kind.

The survey found that a surprising majority of heterosexuals were not aware that these basic job protections are not currently in place.

6 out of 10 or 61% of heterosexuals are unaware that under federal law it is legal for an employer to fire someone because they are gay, lesbian, bisexual or transgender.

The impact of this lack of public awareness on public policy is significant. As the research presented earlier in this report shows, by significant numbers, heterosexuals favor providing these protections. With greater public education, legislators are more likely to gain the support they need from their constituents to enact these fair-minded policies sooner.

Even more startling is the number of LGBT people who also are not aware of the lack of employment protections.

Three out of 10 or 37% of LGBT adults are unaware that under federal law it is legal for an employer to fire someone because they are gay, lesbian, bisexual or transgender.

This gap sends a message to the nation's LGBT organizations that greater education is needed to accelerate awareness and community support towards enacting ENDA.



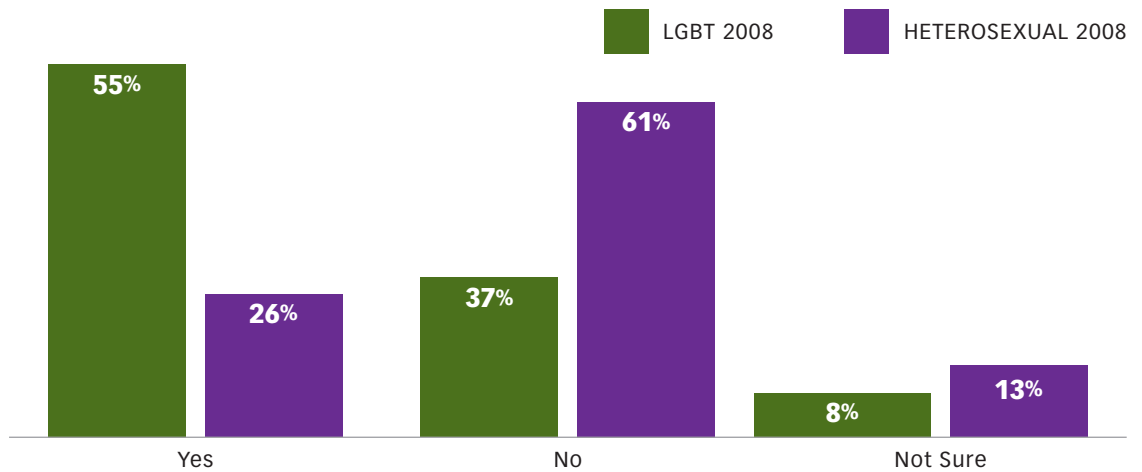
**FIGURE 10**

**Familiarity That Federal Law Allows Employer to Fire Someone Because They Are LGBT**

Federal law – specifically the Civil Rights Act of 1964 – was adopted to prohibit employment discrimination based on race, color, religion, sex and national origin. The law does not include any protections for people on the basis of sexual orientation (gays and lesbians) and also does not protect transgender individuals. Therefore, under federal law, it is legal for an employer to fire someone because they are gay, lesbian, bisexual or transgender.

Did you know that under federal law it is legal for an employer to fire someone because they are gay, lesbian, bisexual or transgender?

BASE: All Adults



When ENDA was considered and passed in the U.S. House of Representatives in late 2007, there was significant debate within the broader LGBT community as well as among legislative strategists whether or not to include gender identity and expression in this legislation. When ENDA was originally introduced in the U.S. Senate in 1996 for its first historic, though unsuccessful vote, it did not include gender identity and expression.

Some ENDA proponents as well as some key legislators felt that there was not yet enough public education and political support for including gender identity/expression in the bill if it was going to secure enough votes to pass and be adopted by both Houses of Congress.

Recognizing these varied perspectives, we then asked gays and lesbians as well as heterosexuals whether they would support passage of ENDA as adopted by the U.S. House of Representatives, without provisions including transgender individuals.\*

In 2008, 83% of gays and lesbians support ENDA without transgender inclusion; while 51% of heterosexuals indicate they support ENDA without transgender inclusion.\*



**FIGURE 11**

**ENDA – Support for Legislation**

*Last year, the U.S. House of Representatives passed the Employment Non-Discrimination Act. This bill adds employment protections for gay, lesbian and bisexual employees to those protections already in the Civil Rights Act of 1964 such as race, color, and religion for example. Transgender or gender identity is not included for protection from discrimination in this new legislation. Would you support or oppose this legislation becoming law?*

BASE: All Adults

	LESBIANS AND GAYS	HETEROSEXUAL
	2008	2008
	%	%
<b>Support (NET)</b>	<b>83</b>	<b>51</b>
Strongly support	68	24
Somewhat support	15	27
<b>Oppose (NET)</b>	<b>11</b>	<b>26</b>
Somewhat oppose	5	11
Strongly oppose	7	14
Not Sure	5	24

\* Note that survey space and time limitations prevented asking other specific options concerning the future of ENDA legislation and provisions protecting transgender Americans. This finding therefore cannot be inferred to be the only or even the optimal outcome desired by most gays and lesbians. The sample included transgender respondents as well, but regrettably not in sufficient number to project credible conclusions.





## Transgender Issues

### *Including the T in LGBT*

In many cases, the next frontier that companies must address when it comes to diversity in the workplace is gender identity and expression. Often misunderstood, media visibility has helped to bring this issue out of the shadows and into the light, putting a face on the complex and sensitive topic.

*Transgender* has become an umbrella term to mean all those who *transcend gender* norms. For example, when men or women act or appear differently than the traditional gender norms in the workplace, they can experience forms of discrimination. This refers to their gender identity and/or gender expression, which is different from their sexual orientation, which is an enduring emotional, romantic, sexual, or affectional attraction toward others.

### **Gender Expression**

The external presentation or appearance of a person, as it relates to the traditional stereotypes of “man” (or “boy”) and “woman” (or “girl”). A person’s gender expression includes appearance, dress, mannerisms, speech patterns, hairstyle, and social interactions. Protection of gender expressions means that gender expressions that are acceptable for one sex also are acceptable for the other sex.

### **Gender Identity**

The internal feeling that all of us have of being a man or a woman. In the case of transsexuals, the feeling of identity or belonging is not compatible with the sex assigned at birth.<sup>3</sup>

With greater education and understanding, the general public is learning how these issues are different and how people experience discrimination differently depending on how they may act or appear. Also, in the summer of 2008, for the first time the U.S. Congress held hearings on this topic, serving to educate members of Congress how current federal legislation does not protect people on the basis of gender identity and/or expression.

Currently, there are fewer companies and jurisdictions that provide meaningful protections on the basis of gender identity and/or expression than they do offer protections concerning sexual orientation. More than 300 companies prohibit discrimination on the basis of gender identity and/or expression. Nonetheless, more than 90 cities and counties today do outlaw employment discrimination on the basis of gender identity and/or expression. It appears that heterosexuals are more supportive than people may believe when it comes to outlawing discrimination on the basis of gender identity and expression, as well as offering equal benefits to these employees.

71% of heterosexuals agree that how an employee performs at their job should be the standard for judging an employee, not whether or not they are transgender.

57% of heterosexuals agree that a person who is transgender is entitled to equal benefits on the job, such as health insurance for their partner or spouse.

<sup>3</sup>Transgender at Work Project ([www.tgender.net/taw/](http://www.tgender.net/taw/))



The two most sensitive and challenging issues for people in the workplace related to transgender employees has to do with what bathroom facilities they will use once they transition as well as how their appearance will change during and after their transition. Again, it seems that within the workplace a majority of heterosexuals are further along the continuum of understanding than policymakers may presume.

54% of heterosexuals agree that if a person was born female, but now identifies as male, this person should be allowed to wear appropriate clothing for men to work, provided it conforms to dress code policies for men's apparel.

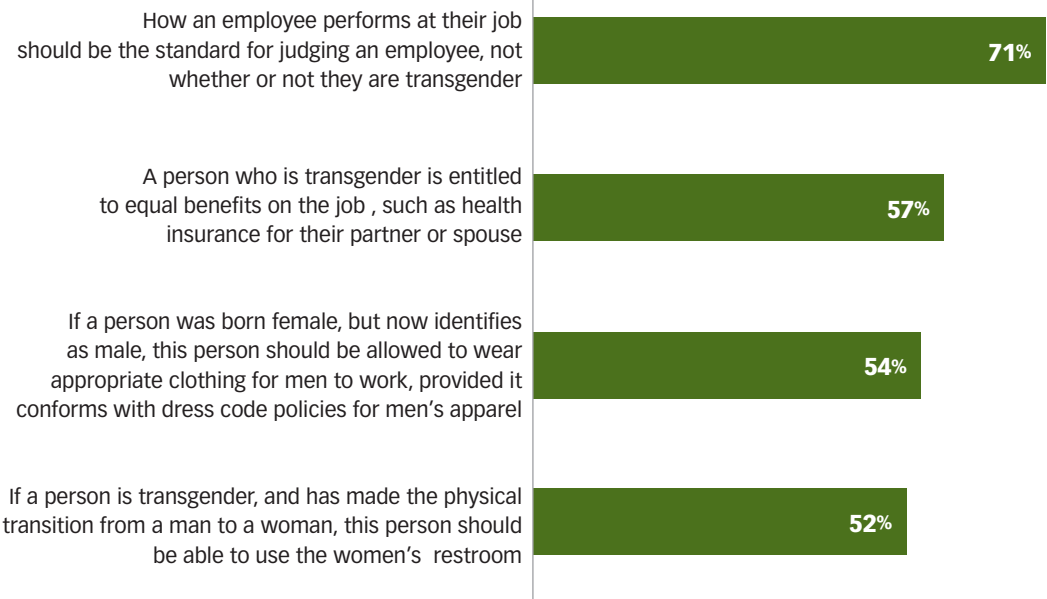
52% of heterosexuals agree that if a person is transgender, and has made the physical transition from a man to a woman, this person should be able to use the women's restroom.

**FIGURE 12**  
**Transgender Employees in the Workplace**

*Transgender is a broad term that applies to people who live all or much of their lives expressing a different gender from their sex at birth. In other words, transgender people simply feel like their assigned sex at birth fails to reflect their true gender. Or said another way, a person that is born female feels that they really should have been born a male and wishes to live openly as a man (or vice versa). How strongly do you agree or disagree with each of the following statements?*

(Summary of Those Who Strongly or Somewhat Agree)

BASE: All Adults



HETEROSEXUALS 2008



